

**Congress of the United States**  
**Washington, DC 20515**

May 18, 2006

The Honorable J. Dennis Hastert  
Speaker of the House  
H-232, The Capitol  
Washington, DC 20515

Dear Mr. Speaker:

We are pleased that it appears the House of Representatives will finally take up health information technology legislation. It has been almost six months since the Senate unanimously passed a bipartisan health information technology bill (S. 1418), and it has been well over two years since President Bush called for computerizing health records in his 2004 State of the Union address. Given the costs of further delay, it is imperative not only that the House act, but that it pass a bill that will substantially accelerate the move to an interoperable, electronic health information system.

We believe that the rapid adoption of health information technology by providers and the development of secure, confidential health information networks is literally a matter of life and death. In just the past six months, as many as 50,000 Americans have died as a result of medical errors, and approximately another 50,000 have died from preventable infections. Information technology can be used to improve patient safety. For example, a study by the RAND Corporation estimated that if all hospitals had a HIT system including Computerized Physician Order Entry, around 200,000 adverse drug events could be eliminated each year. Information technology is also critical to reducing health care costs; the RAND Corporation has estimated that improved safety, reduced errors, shorter hospital stays promoted by better coordinated care, administrative savings, elimination of unnecessary duplication, and better prevention resulting from widespread use of interoperable information technology could yield \$81 billion annually.

While health information technology can dramatically improve the safety, quality, and efficiency of health care, there are strong systemic reasons that health care has lagged behind in technology investments. These include misaligned costs and returns on information technology investments, free rider and collective action challenges, and a lack of clear data standards.

The standard against which federal legislation should be judged is whether it alters these systemic dynamics to spur both the adoption of technology by providers and the development of health information networks that allow information to be securely, seamlessly shared among authorized users. Any bill that passes the House should adhere to the following principles in order to achieve the goal of a fully interoperable health system:

1. Ensure patient privacy, confidentiality and data security. Health information is some of the most personal information that can exist. Without strong privacy, confidentiality, and security protections, patients will reject the movement to fully interoperable electronic health records and systems. Therefore, protections should include patient consent and control over the use and disclosure of their health information. Protections

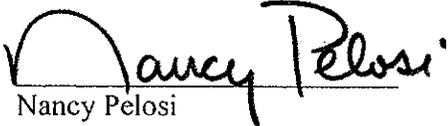
should flow with the information, and a person should be able to enforce these rights. Entities should be required to provide reasonable safeguards that avoid unauthorized access to personal information through steps such as data encryption and notification if there has been a violation of personally identifiable data.

2. Align incentives to spur adoption of health information technology. Only approximately ten percent of physicians currently use electronic medical records, in large part because they do not directly benefit from the savings generated. The federal government is uniquely situated to align the investments with the benefits, and as the largest payer of health care in the country, the federal government stands to gain the most from widespread adoption of health information technology. Incentives to incorporate health information technology, such as electronic medical records, into the clinical practice for Medicare and Medicaid beneficiaries are valuable tools to achieve this end.
3. Provide funding mechanisms for acquisition and maintenance of health information technology. With tens of thousands of deaths per month due to preventable errors and infections and year after year of double digit premium increases, we cannot afford to simply hope and wait that somehow interoperable health information systems will suddenly appear. Given broad agreement that widespread adoption of IT is a top priority in national efforts to reduce health care costs and increase efficiency, it is time for the federal government to lead by example and develop a financing mechanism for providers and regional health information collaboratives, both of which are critical to the proliferation of interoperable health information systems. Efforts that instead rely on weakening the anti-kickback and self-referral statutes as an indirect proxy for funding will increase Medicare's vulnerability to waste, fraud and abuse.
4. Include a date certain for standards adoption. The lack of standardized medical vocabulary or standards for transmitting complete electronic health information in and among providers, insurers, the government and others in the healthcare field is a major hindrance to the widespread adoption of health information technology. The Secretary of Health and Human Services should be required to adopt standards that allow for interoperability by a date certain. These should be consensus standards agreed upon by technology companies, providers, consumers, health plans, and other stakeholders in an open process.

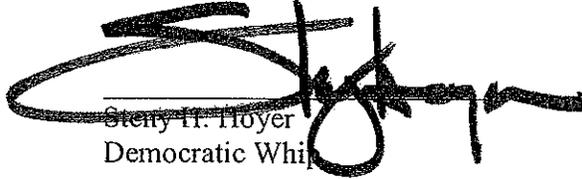
These principles are not controversial and not partisan. They are, however, critical to the transition to a functioning system for the electronic exchange of information. Only a bill that adheres to these principles will move us toward substantial adoption of health information technology and the development of health information networks that deliver the quality benefits

and savings that such technology promises while still protecting patients. We hope that the House will use this opportunity to pass legislation that meets these principles and take a giant step forward on health information technology.

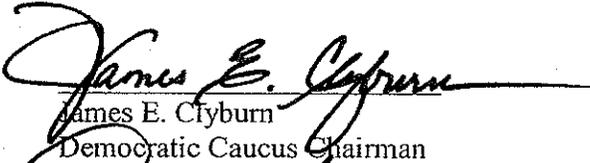
Sincerely,



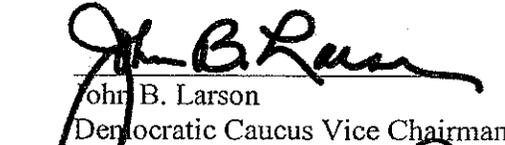
Nancy Pelosi  
Democratic Leader



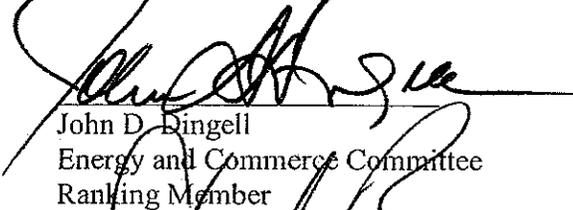
Steny H. Hoyer  
Democratic Whip



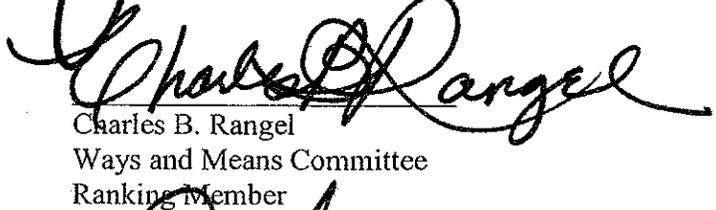
James E. Clyburn  
Democratic Caucus Chairman



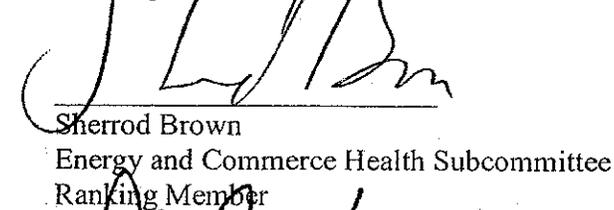
John B. Larson  
Democratic Caucus Vice Chairman



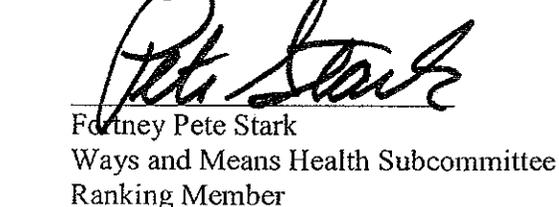
John D. Dingell  
Energy and Commerce Committee  
Ranking Member



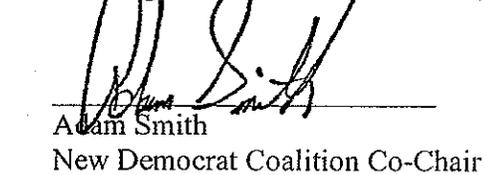
Charles B. Rangel  
Ways and Means Committee  
Ranking Member



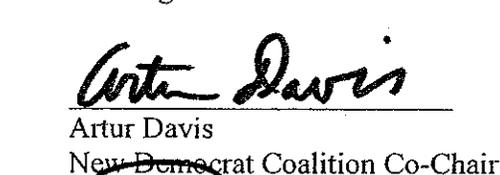
Sherrod Brown  
Energy and Commerce Health Subcommittee  
Ranking Member



Fortney Pete Stark  
Ways and Means Health Subcommittee  
Ranking Member



Adam Smith  
New Democrat Coalition Co-Chair



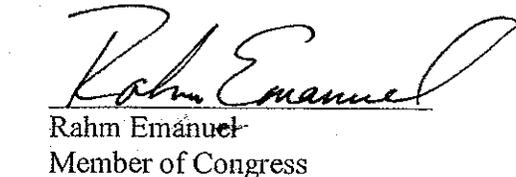
Artur Davis  
New Democrat Coalition Co-Chair



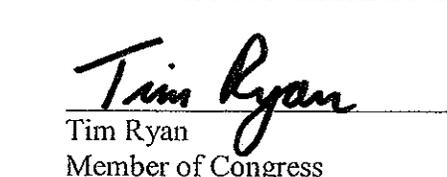
Ellen O. Tauscher  
New Democrat Coalition Co-Chair



Ron Kind  
New Democrat Coalition Co-Chair



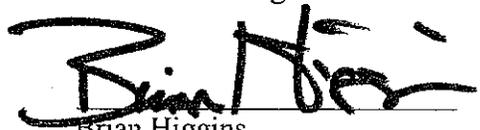
Rahm Emanuel  
Member of Congress



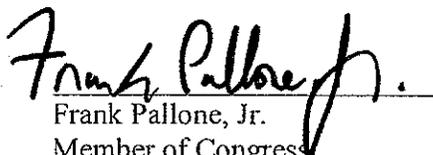
Tim Ryan  
Member of Congress



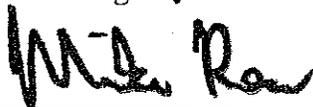
Melissa L. Bean  
Member of Congress



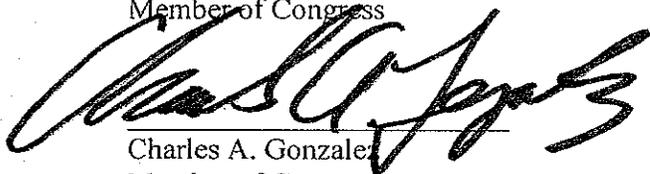
Brian Higgins  
Member of Congress



Frank Pallone, Jr.  
Member of Congress



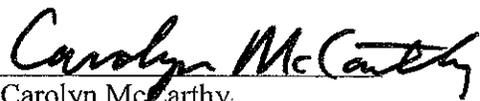
Mike Ross  
Member of Congress



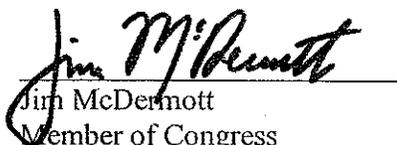
Charles A. Gonzalez  
Member of Congress



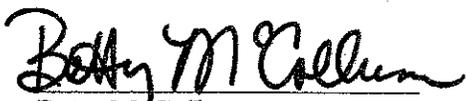
Debbie Wasserman Schultz  
Member of Congress



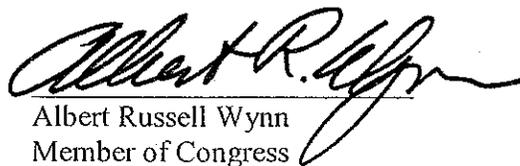
Carolyn McCarthy  
Member of Congress



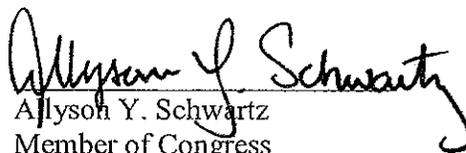
Jim McDermott  
Member of Congress



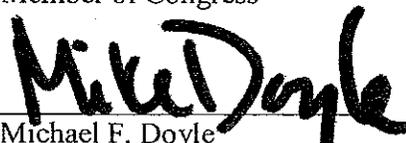
Betty McCollum  
Member of Congress



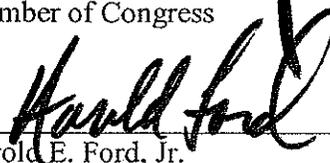
Albert Russell Wynn  
Member of Congress



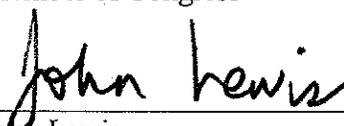
Allyson Y. Schwartz  
Member of Congress



Michael F. Doyle  
Member of Congress



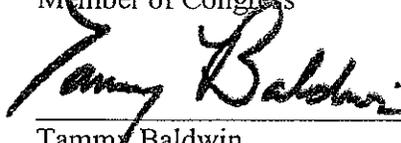
Harold E. Ford, Jr.  
Member of Congress



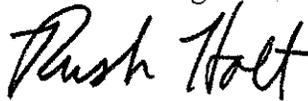
John Lewis  
Member of Congress



Rick Larsen  
Member of Congress



Tamm Baldwin  
Member of Congress



Rush D. Holt  
Member of Congress



Ted Strickland  
Member of Congress

Dennis Moore

Dennis Moore  
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Lois Capps

Lois Capps  
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Brian Baird

Brian Baird  
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Tom Udall

Tom Udall  
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Grace F. Napolitano

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C.A. Dutch Ruppersberger

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Member of Congress

Hilda L. Solis

Hilda L. Solis  
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Ben Chandler

Ben Chandler  
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Susan A. Davis

Susan A. Davis  
Member of Congress

Gregory W. Meeks

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Diane DeGette

Diane DeGette  
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Chris Van Hollen

Chris Van Hollen  
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Brad Miller

Brad Miller  
Member of Congress

Bob Etheridge

Bob Etheridge  
Member of Congress

Earl Pomeroy

Earl Pomeroy  
Member of Congress

Raul M. Grijalva

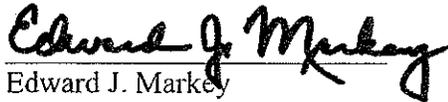
Raul M. Grijalva  
Member of Congress

Russ Carnahan

Russ Carnahan  
Member of Congress

Carolyn C. Kilpatrick

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Member of Congress



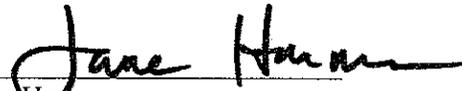
Edward J. Markey  
Member of Congress



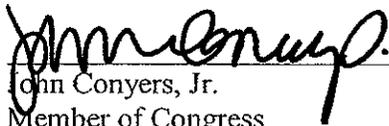
Eliot L. Engel  
Member of Congress



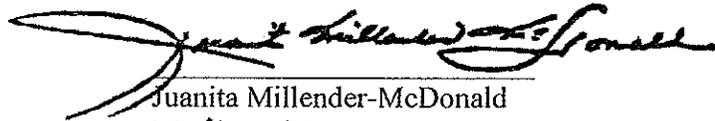
Rosa L. DeLauro  
Member of Congress



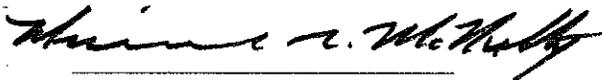
Jane Harman  
Member of Congress



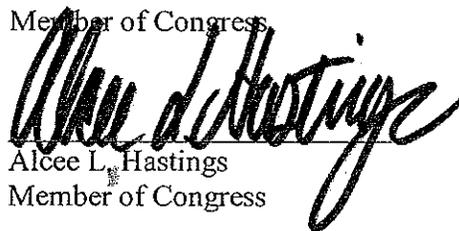
John Conyers, Jr.  
Member of Congress



Juanita Millender-McDonald  
Member of Congress



Michael R. McNulty  
Member of Congress



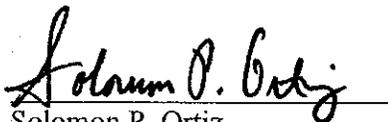
Alcee L. Hastings  
Member of Congress



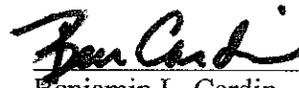
William J. Emerson  
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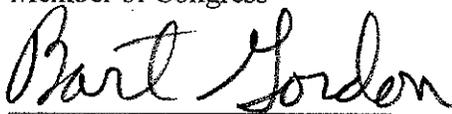
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Member of Congress



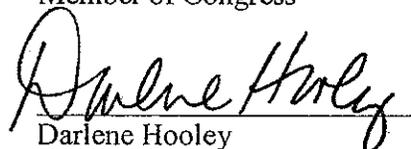
Solomon P. Ortiz  
Member of Congress



Benjamin L. Cardin  
Member of Congress



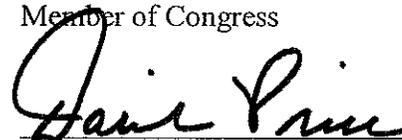
Bart Gordon  
Member of Congress



Darlene Hooley  
Member of Congress



John Barrow  
Member of Congress



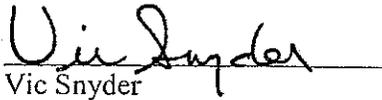
David E. Price  
Member of Congress



Louise McIntosh Slaughter  
Member of Congress



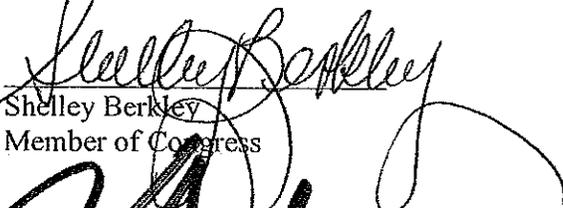
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Member of Congress



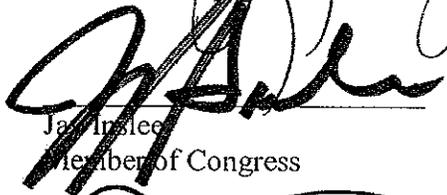
Vic Snyder  
Member of Congress



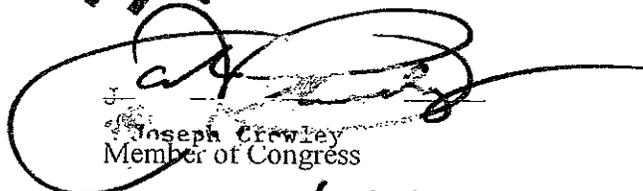
Linda T. Sanchez  
Member of Congress



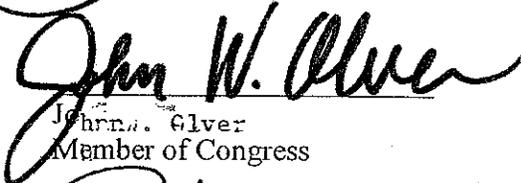
Shelley Berkley  
Member of Congress



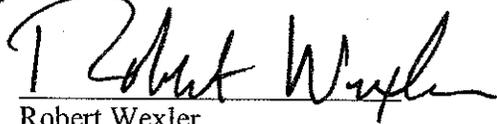
Jan Inslee  
Member of Congress



Joseph Crowley  
Member of Congress



John W. Olver  
Member of Congress



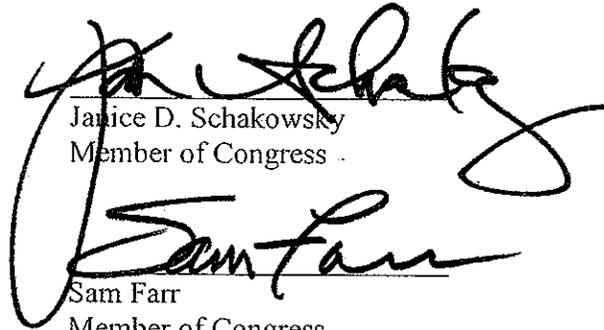
Robert Wexler  
Member of Congress



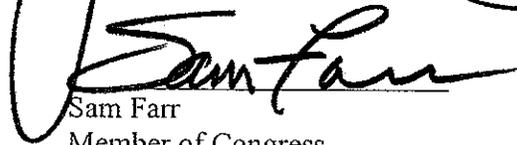
Steve Israel  
Member of Congress



Zoe Lofgren  
Member of Congress



Janice D. Schakowsky  
Member of Congress



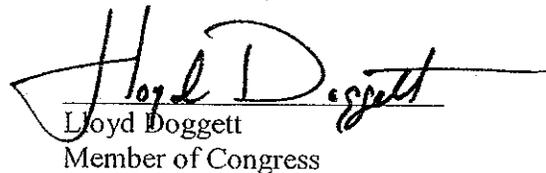
Sam Farr  
Member of Congress



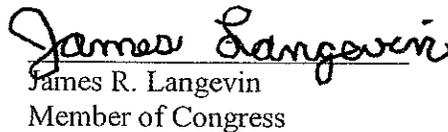
Madeleine Z. Bordallo  
Member of Congress



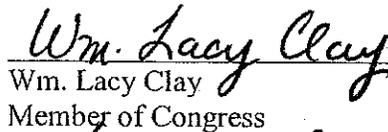
David Wu  
Member of Congress



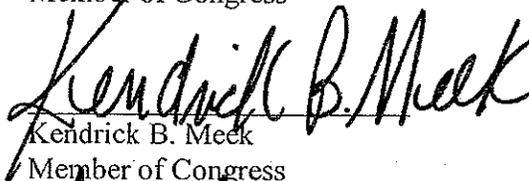
Lloyd Doggett  
Member of Congress



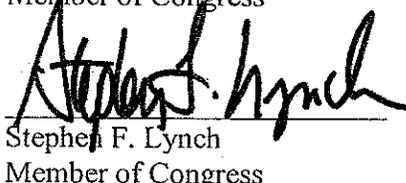
James R. Langevin  
Member of Congress



Wm. Lacy Clay  
Member of Congress



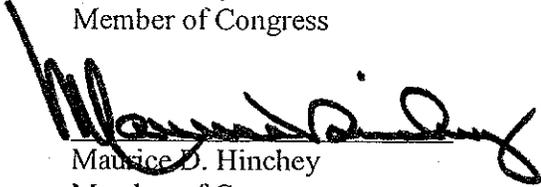
Kendrick B. Meek  
Member of Congress



Stephen F. Lynch  
Member of Congress



Silvestre Reyes  
Member of Congress



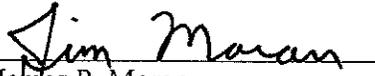
Maurice D. Hinchey  
Member of Congress



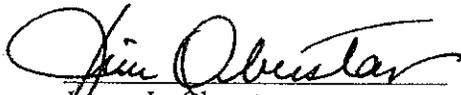
Jerrold Nadler  
Member of Congress



Richard E. Neal  
Member of Congress



James P. Moran  
Member of Congress



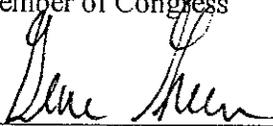
James L. Oberstar  
Member of Congress



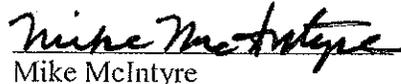
Lucille Roybal-Allard  
Member of Congress



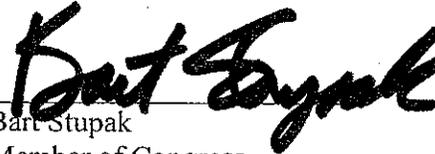
Ruben Hinojosa  
Member of Congress



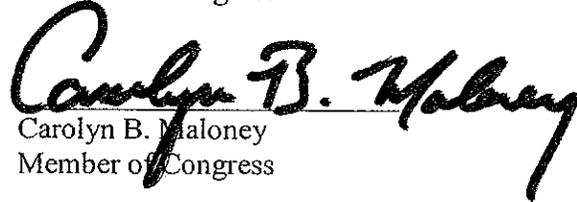
Gene Green  
Member of Congress



Mike McIntyre  
Member of Congress



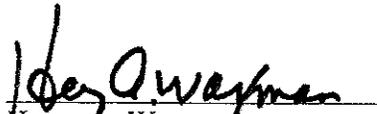
Bart Stupak  
Member of Congress



Carolyn B. Maloney  
Member of Congress



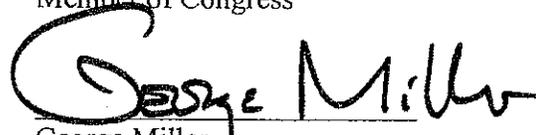
Gary L. Ackerman  
Member of Congress



Henry A. Waxman  
Member of Congress



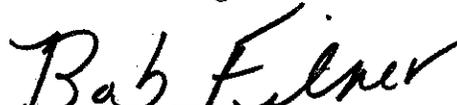
Major R. Owens  
Member of Congress



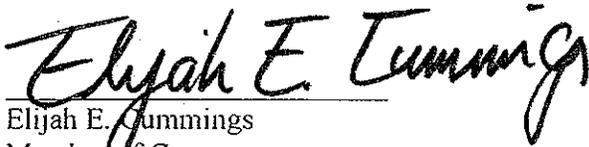
George Miller  
Member of Congress



Steven R. Rothman  
Member of Congress

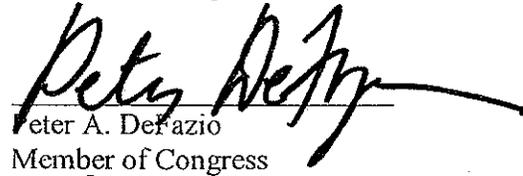


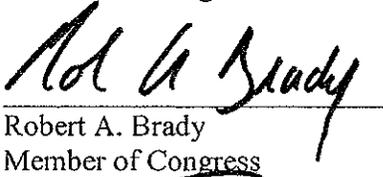
Bob Filner  
Member of Congress

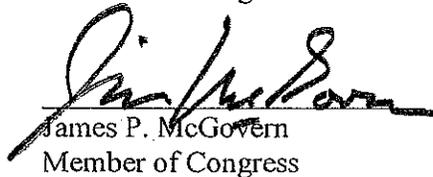
  
Elijah E. Cummings  
Member of Congress

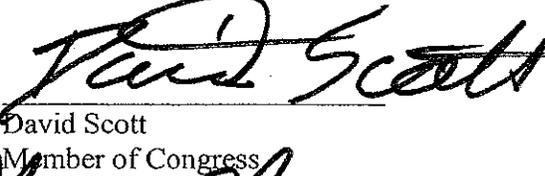
  
Tom Lantos  
Member of Congress

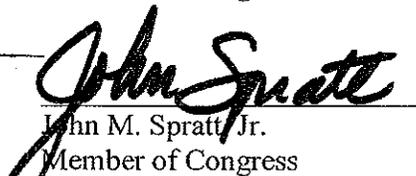
  
Nita M. Lowey  
Member of Congress

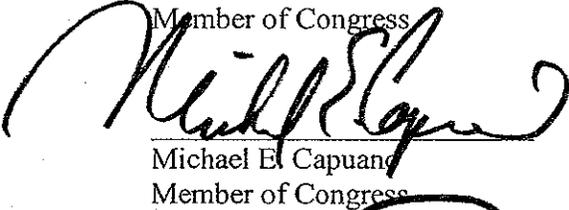
  
Peter A. DeFazio  
Member of Congress

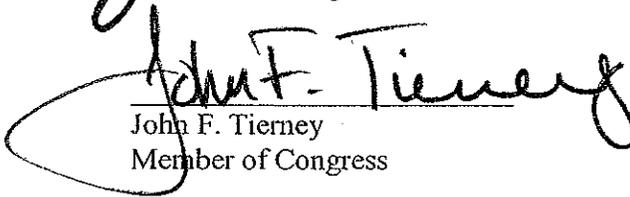
  
Robert A. Brady  
Member of Congress

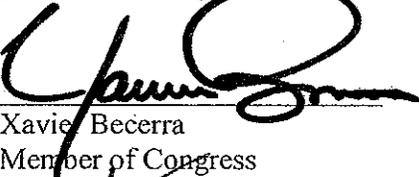
  
James P. McGovern  
Member of Congress

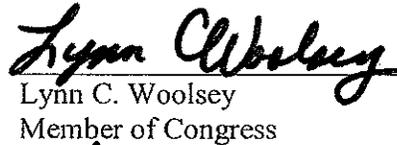
  
David Scott  
Member of Congress

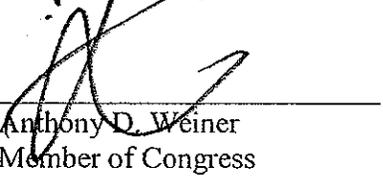
  
John M. Spratt, Jr.  
Member of Congress

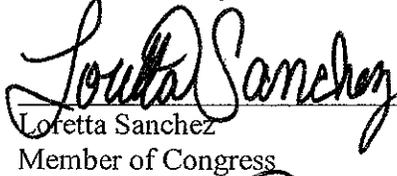
  
Michael E. Capuano  
Member of Congress

  
John F. Tierney  
Member of Congress

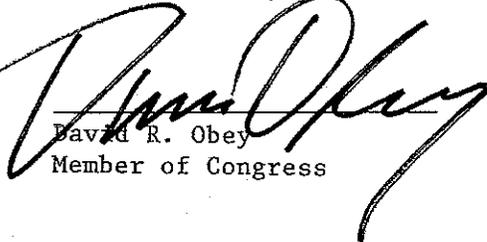
  
Xavier Becerra  
Member of Congress

  
Lynn C. Woolsey  
Member of Congress

  
Anthony D. Weiner  
Member of Congress

  
Loretta Sanchez  
Member of Congress

  
Danny K. Davis  
Member of Congress

  
David R. Obey  
Member of Congress

*The Honorable J. Dennis Hastert*

*May 17, 2006*

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Cc: The Honorable Joe Barton  
Chairman, House Committee on Energy and Commerce

The Honorable William M. Thomas  
Chairman, House Committee on Ways and Means

The Honorable John A. Boehner  
House Majority Leader